

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JESSE MEANS,)	
Plaintiff,)	C.A. No. 05-107 Erie
)	District Judge McLaughlin
vs.)	Magistrate Judge Baxter
)	
UNITED STATES OF AMERICA, et al.,)	
Defendants.)	

REPLY OF THE PLAINTIFF TO COURT'S ORDER

NOW COMES, the Plaintiff, Jesse Means, and appearing pro se, hereby, pursuant to this Court's Order of October 4, 2005, provides this Court with a copy of the institutional statement.

It should be brought to this Court's attention that the date of the transaction does not reflect the date which the Plaintiff gave the withdrawl authorization to prison staff. Plaintiff turned in the withdrawl form on or about September 12, 2005. The Court fees were then withdrawn from Plaintiff's account on September 19, 2005. (see attached). The for some reason, unbeknownest to the Plaintiff, the Court Fees were returned to Plaintiff's account on September 20, 2005, and once again removed on September 22, 2005.

As previously advanced by the Plaintiff. Plaintiff cannot control the actions of prison officials. They have 100% control of Plaintiff's funds.

Therefore, Plaintiff has done all he could to comply with this Court's orders once he understood them correctly.

WHEREFORE, facts and premises considered, the Plaintiff prays that this Court reject the Report and Recommendation of the U.S. Magistrate Judge.

Dated: October 11th, 2005

Respectfully submitted:

x Jesse Means 38021-060
Jesse Means
Reg. No. 38021-060
FCI McKean
P.O. Box 8000
Bradford, PA. 16701-0980

PLAINTIFF pro se

CERTIFICATE OF MAILING

I do hereby certify that on this the 11th day of October, 2005, I placed the original and one copy of this pleading and attachment, in a plain wrapper, properly addressed for delivery to the Clerk of this Court, with sufficient first-class postage prepaid, and that I placed same in an official depository, for the deposit of legal mail, located at FCI McKean, PA., for delivery by the U.S. Postal Service to:

Office of the Clerk
United States District Court
Western District of Pennsylvania
P.O. Box 1820
Erie PA 16501

Jesse Means 38021-060
Jesse Means